



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Avery J. Evans et al.

Application Serial No.: 10/074,959

Examiner: A. Ramana

Filed: February 12, 2002

Group: 3732

**For: MULTI-USE SURGICAL CEMENT DISPENSER APPARATUS AND KIT
FOR SAME**

Attorney Docket #: SPEC-6150 (53990-00601)

**Commissioner for Patents
Alexandria, VA 22313-1450**

AMENDMENT AND RESPONSE

Dear Sir:

In response to the Office Action dated May 19, 2005, Applicant respectfully submits the following amendments and remarks. Amendments are provided in the Listing of Claims which begins on page 2 of this paper. Applicants remarks begin on page 12 of this paper.

references must teach or suggest all of the claim limitations. Accordingly, Preissman and Bhatnagar fail to establish a *prima facie* showing of obviousness.

In view of the foregoing, Applicant submits that the cited references do not teach or suggest the claimed subject matter and respectfully requests withdrawal of the rejections of the Claims under Section 103.

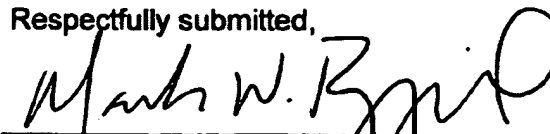
III. Conclusion

Applicant respectfully submits that the Claims of the present invention define patentable subject matter and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the below listed telephone number.

It is believed that no fee is required for the present amendment. In the event that a fee is required, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to deposit account number 03-2469. Moreover, if the deposit account contains insufficient funds, the Commissioner is hereby invited to contact Applicant's undersigned representative to arrange payment.

Dated: JULY 1, 2005

Respectfully submitted,



JOHN N. COULBY, Reg. No. 48,565
MARK W. RYGIEL, Reg. No. 45,871
COLLIER SHANNON SCOTT, PLLC
3050 K Street, N.W., Suite 400
Washington, D.C. 20007
(202) 342-8400